

7 August 1981

COURT-MARCHETTI BOOK

RICHMOND (AP) -- A FEDERAL APPEALS COURT TODAY BLOCKED FURTHER EFFORTS TO DISCLOSE CLASSIFIED INFORMATION OBTAINED BY VICTOR MARCHETTI, AUTHOR OF A CONTROVERSIAL BOOK ABOUT THE CENTRAL INTELLIGENCE AGENCY.

THE CASE BEFORE THE 4TH U. S. CIRCUIT COURT OF APPEALS DEALT WITH THE BOOK, "THE CIA AND THE CULT OF INTELLIGENCE" BY MARCHETTI, A FORMER CIA EMPLOYEE.

THE COURT IN 1972 DENIED PUBLIC DISCLOSURE OF SOME OF THE MATERIAL PLANNED FOR INCLUSION IN THE BOOK AND REQUIRED MARCHETTI TO SUBMIT ANY MATERIAL INTENDED FOR PUBLICATION TO PRIOR CIA REVIEW.

THE BOOK WAS PUBLISHED IN 1974 WITH 168 BLANK SPACES WHERE DELETED MATERIAL WAS TO HAVE APPEARED.

IN 1975, MARCHETTI AND HIS PUBLISHER OBTAINED LOWER COURT PERMISSION TO PUBLISH THE DELETED ITEMS, BUT THE DECISION WAS OVERRULED BY THE 4TH CIRCUIT COURT.

THE LATEST ROUND IN WHAT THE COURT CALLED A "SIMMERING CONTROVERSY" INVOLVED EFFORTS BY MORTON HALPERIN, A FORMER EMPLOYEE OF THE NATIONAL SECURITY COUNCIL, TO USE THE CLASSIFIED INFORMATION IN TESTIMONY IN A THIRD SUIT.

IN THAT ACTION, THE CENTER FOR NATIONAL SECURITY STUDIES, OF WHICH HALPERIN IS DIRECTOR, SOUGHT RELEASE OF THE CLASSIFIED MATERIAL UNDER THE FREEDOM OF INFORMATION ACT.

A U.S. DISTRICT COURT IN ALEXANDRIA, VA., GRANTED HALPERIN'S REQUEST TO USE THE INFORMATION TO PREPARE AN AFFIDAVIT AND TO TESTIFY AS AN EXPERT WITNESS IN CLOSED PROCEEDINGS.

IT ALSO SAID THE INFORMATION COULD BE GIVEN TO HALPERIN'S ATTORNEY FOR ASSISTANCE IN PREPARING THE AFFIDAVIT.

THE GOVERNMENT APPEALED ONLY THAT PART OF THE LOWER COURT ORDER DEALING WITH RELEASING THE CLASSIFIED MATERIAL TO HALPERIN'S ATTORNEY.

THIS RELEASE WAS DENIED BY THE APPEALS COURT TODAY.

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